

Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Minutes of March 19, 2009

County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, California

COMMITTEE MEMBERS PRESENT:

Carl Clark, Institute of Scrap Recycling Industries, Inc.
Betsey Landis, Environmental Organization Representative
Mary Ann Lutz, League of California Cities-Los Angeles Division
Mike Mohajer, General Public Representative
Sam Perdomo, Business/Commerce Representative
Ron Saldana, Private Sector Representative

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, represented by Carlos Ruiz, County of Los Angeles Department of Public Works
Dr. Jonathan Fielding, represented by Pete Oda, County of Los Angeles Department of Public Health
Stephen Maguin, rep. by Charles Boehmke, County Sanitation Districts of Los Angeles County

COMMITTEE MEMBERS NOT PRESENT:

Christine Andersen, City of Long Beach
Margaret Clark, League of California Cities-Los Angeles Division
David Kim, City of Los Angeles
Gerry Miller, City of Los Angeles
Greig Smith, City of Los Angeles
Dr. Barry Wallerstein, South Coast Air Quality Management District
Enrique Zaldivar, City of Los Angeles Bureau of Sanitation

OTHERS PRESENT:

Chuk Agu, County of Los Angeles Department of Public Works
Danielle Aslam, CIWMB
Brian Atwater, Consolidated Fabricators
Rogelio Gamino, County of Los Angeles Department of Public Works
Rafael Garcia, Republic/SCL
Kimberly Hilsson, Solid Waste Solutions
Steve Howe, Tree People
Wayde Hunter, NVC/ATAS/GHNVC
Natalia Jimenez, County of Los Angeles Department of Public Works
Armine Kesablyan, County of Los Angeles Department of Public Works
Lara Kevorkian, SAIC
Linda Lee, County of Los Angeles Department of Public Works
Michelle Leonard, SCS Engineers
Mark Patti, City of Santa Clarita
Danica Sierra, Waste Management
Coby Skye, County of Los Angeles Department of Public Works
James Benken, County of Los Angeles Department of Public Works
Lindsay Sagorski, County of Los Angeles Department of Public Works

I. CALL TO ORDER

Meeting was called to order at 1:07 p.m.

II. APPROVAL OF MINUTES OF FEBRUARY 26, 2009

A motion was made to approve the corrected minutes of February 26, 2009. The motion passed unanimously with Ms. Mary Ann Lutz abstaining.

III. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis reported that the Subcommittee met earlier in the day and reviewed Chapter 10 of the Countywide Siting Element. Ms. Landis stated that staff was instructed to revise Chapter 10 to incorporate the comments and corrections provided by the Subcommittee.

IV. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE

Mr. Coby Skye reported that at the Subcommittee meeting, Mr. Miguel Zermeno provided an update on the City of Los Angeles' projects and said that they anticipated submitting recommendations to the City Council and Mayor in the summer 2009. Mr. Skye also reported that the County's public outreach contractor, Cerrell, provided an update on their work to develop a coalition in Sacramento to support conversion technologies. The coalition would include technology firms, local governments, and other stakeholders.

Mr. Skye stated that the Subcommittee also discussed future goals and objectives. He indicated that the Subcommittee will continue its work to support the development of conversion technologies, to be the respected authority in conversion technology matters, and to fine-tune some of the goals and objectives in the coming years.

V. UPDATE ON AB 283

Mr. Mike Mohajer explained that AB 283 is the product stewardship and extended producer responsibility (EPR) Bill proposed by Assembly member Chesbro. He recalled that the Task Force had sent a letter noting concerns with the Bill on March 9, 2009.

Mr. Mohajer reported that Mr. Chesbro's office had responded favorably to the comments made by the Task Force, and stated that he had received a draft

modification of the Bill with the amendments to be incorporated. Mr. Mohajer stated that the goal was to have the amendments incorporated into the Bill this week but that has not occurred yet. Mr. Mohajer reported that the Bill is scheduled for consideration by the Assembly Natural Resources Committee on April 13, 2009.

Mr. Mohajer suggested that the Task Force continue to track the amended Bill, and if the Task Force's concerns are addressed in the revised Bill, then a support letter be sent to the Assembly Natural Resource Committee. However, if the Bill is not amended in time for the April 13 hearing, the Task Force will not forward such letter.

A motion was made to have staff prepare a letter of support for the Bill, subject to the conditions specified by Mr. Mohajer and approval by Vice-Chair Clark. The motion passed unanimously.

VI. PRESENTATION ON AB 2296, PROPOSED PHASE II REGULATIONS ON CLOSURE AND POSTCLOSURE MAINTENANCE STANDARDS FOR DISPOSAL SITES AND LANDFILLS

Ms. Lindsay Sagorski provided a presentation ([see attachment](#)) on AB 2296, closure and postclosure maintenance standards for disposal sites and landfills.

She stated that AB 2296 consisted of two phases. Phase I required the Waste Board, by January 1, 2008, to adopt regulations concerning closure and postclosure maintenance cost estimates. These regulations were approved on February 25, 2008. It also required the Waste Board to conduct a study to identify potential long-term threats and financial assurance mechanisms for long-term postclosure maintenance and corrective actions; this study was completed in June 2007. Phase II requires the Waste Board to develop recommendations for needed legislation to implement the findings of the study. Therefore, the Waste Board is proposing this Phase II regulations to implement the findings of the study. Attached is the PowerPoint presentation.

Thereafter, Mr. Mohajer stated that the biggest problem regarding the funding mechanism is that private landfill operators can always file for bankruptcy and transfer their financial responsibility to someone else, while public landfill operators don't have that option and have to come up with the necessary funds. He stated that while the proposed regulations make the financial mechanism a bit more restrictive, they do not address the critical issue affecting publicly operated landfills. Mr. Mohajer also mentioned the potential confusion that some of the proposed language may cause. He cited terms like "disposal site," which could refer to a number of different facilities.

The Task Force directed staff to prepare comments on the proposed Phase II regulations on closure and post-closure for landfills and send to the AB 2296 ad hoc subcommittee (Betsey Landis, Mike Mohajer and Charles Boehmke) for review. Staff will subsequently forward the comments to the Waste Board before the end of the comment period of April 13, 2009.

VII. WASTE BOARD CONVERSION TECHNOLOGY REPORT

Mr. Skye indicated that, for years, the Task Force has advocated for change in State law to allow for the development of conversion technologies. As a result of these efforts, in 2002, AB 2270 included a provision requiring the Waste Board to conduct a study of conversion technologies. The study, conducted in conjunction with UC Riverside and UC Davis, resulted in a comprehensive report with a largely positive view of the potential benefits of conversion technologies.

In March 2005, the Waste Board adopted that report along with a resolution with recommendations to the legislature, as was requested in the law. However, in April 2005, several legislators including Sheila Khuel, Allan Lowenthal and Loni Hancock asked that the report be reconsidered. The Waste Board subsequently rescinded their approval of the report, and tentatively approved a revised version of the report subject to peer review. The Waste Board also adopted a significantly different version of the resolution.

Mr. Skye reported that, apparently, the peer review was completed some time in 2007 and the report sent back to the Legislature, but was not itemized for discussion since it had been technically approved in 2005. Mr. Skye reported that Public Works staff obtained a copy of the 2007 report and compared it to the 2005 version of the report. Staff found that the 2007 version of the report had removed recommendations to solve problems identified with current statute regarding the definition of conversion technologies.

Mr. Skye reported that several other important issues had also been stricken from the 2007 report; specifically, the need to conduct research with regards to the impact of China on the demand for recycling materials, the need to authorize third party emission studies regarding conversion technologies, and the need to revise the current definition of gasification as written in State law. Mr. Skye added that a number of recommendations that addressed those key issues were also removed from the original resolution adopted by the Waste Board in 2005.

Mr. Mohajer made a motion to forward a letter to the Waste Board and legislators expressing the Task Force's concerns over the issues and recommendations removed from the final report. The motion passed unanimously.

VIII. PRESENTATION ON LIFE CYCLE ASSESSMENT OF ORGANICS DIVERSION ALTERNATIVE

Mr. Steve Uselton provided a presentation ([see attachment](#)) on Life Cycle Assessment of Organics Diversion Alternatives. He indicated that in February 2007, the Waste Board adopted 12 strategic directives that would serve as tools to guide Waste Board staff to reach the goal of reducing organics sent to landfill by 50 percent by the year 2020. In order to achieve this goal, an estimated 50 to 100 new facilities with processing capacity of 100 tons per day (TPD) would be necessary. In addition, extension of existing facilities is required as well as support from generators to source separate materials either through grass cycling or sustainable landscaping activities.

Mr. Uselton stated that as much as 70 percent of the total waste stream can be classified as organic, including paper, plastic, carpet, textiles, etc. It is estimated that 25 percent of those organics are readily recyclable. He noted that this creates an opportunity to reduce the burden on landfills and preserve the capacity of existing sites.

Mr. Uselton noted that in order to plan for the extensive infrastructure build up necessary to increase organics diversion, several stakeholders were brought together to generate ideas how to best resolve the problems and barriers. He stated that an organic summit and biofuel forum were held in 2007. The summit resulted in six main areas that the Waste Board focused on as it drafted the "organics roadmap."

Mr. Uselton indicated that the life cycle assessment focus on the alternatives for diverting organics, their cost, and the implications of the greenhouse gas (GHG) in emissions and emission reduction. He stated that the scope of work includes two major areas of study: the life cycle assessment and the economic analysis. To compile this information, there will be an assessment of six management alternatives for organics which will be compared to a base line of organic materials that are deposited in a landfill. This assessment will include data from three regions in California.

The alternatives selected for the scope of work include composting, chipping and grinding for mulch, aerobic digestion, biomass to energy, waste to energy, and recycling. The hope is that outcomes from the project would be a customized GHG tool that can calculate GHG emissions, tons of materials diverted from landfills, and the cost of the different waste management strategies with a consideration for each of these in different regions of the State.

Mr. Uselton stated that the Waste Board also hopes that the report will provide detailed facility characteristics for each of the alternatives as well as development of a coefficient for cost energy and emissions. The GHG tool development and final report will combine all the projects elements to be used by the Waste Board, local jurisdictions, and industry. These data are necessary in order to prioritize organic diversion alternatives to maximize GHG reduction in a cost effective manner on a regional and statewide basis.

Mr. Uselton indicated that presentations detailing methodologies used in the study and proposals for how the study will be implemented were conducted by the contractors working on the study. Since the project was adopted in March of 2007, two workshops on the project have been conducted with the most recent one occurring on February 2, 2009. Presentations from both workshops as well as study data collection and method information will be available at the Waste Board's website.

Mr. Mohajer stated that he found some elements on the scope of work problematic. He cited issues like the lack of clear definitions of key terms, specifically "biomass to energy." Furthermore, other critical issues such as conversion technologies and the use of greenwaste as alternative daily cover (ADC) were not adequately covered in the study.

A motion was made to send a letter to the Waste Board expressing concern over the foundation and scope of work on organics diversion alternatives, specifically the absence of a full discussion and analysis on conversion technology and considering ADC as disposal. The motion passed unanimously.

IX. REPORT FROM THE CIWMB

Mr. Uselton reported on the result of the 2005-06 biannual review process, in which the result was gauged under the former measurement system to determine if the local jurisdictions met the AB939 requirement and achieved the 50 percent required diversion rate. Of the total number of jurisdictions under review, 82 percent were in full compliance. He reported that 55 Jurisdictions of the 82 percent were actually didn't achieve the minimum diversion rate, but were recommend for full compliance status based on their good faith efforts. Mr. Uselton indicated that this is an indication that under the SB 1016 measurement system, which places more emphasis on the program implementation, those jurisdictions found in good faith effort are most likely to be encouraged to continue the implementation of their programs.

Mr. Uselton reported that the Waste Board is holding a series of SB 1016 work shops to train the local jurisdiction on the new system. The local agencies originally had some questions and concerns on the concept of using the disposal equivalent

number, but they have started to understand how it is benefiting them. To further clarify the changes under the new system, the Waste Board has created a video to describe that the emphasis is now on the program implementation rather than on the diversion rate. He also informed that the video is now available on the Waste Board's website for viewing

At the conclusion of his presentation, Mr. Uselton mentioned that there have been changes at the Waste Board. There are three newly appointed members: Sheila Khuel, Carole Midgen, and John Laird. Board Chair Margo Brown has been reappointed to a second term.

X. PRESENTATION ON IMPACT OF ECONOMIC DOWNTURN ON SOLID WASTE DISPOSAL TREND IN LOS ANGELES COUNTY

Mr. James Benken provided a presentation ([see attachment](#)) on Public Works' observations on how current economic downturn has impacted countywide waste disposal activities. He indicated that the role of Public Works is to implement countywide solid waste programs and administer countywide solid waste planning documents such as the Countywide Siting Element.

Mr. Benken stated that the US gross domestic product (GDP) has been in decline since January 2008 and its growth rate is currently in the negative. In addition, unemployment rate is the highest in over a decade. He indicated that this has resulted in less spending, which in turn is reflected in less manufacturing and consumption of goods and services.

Mr. Benken stated that on a countywide level, disposal increased from 2000 to 2005, spurred by growth in population, economy, and the building industry. However, disposal has been in the decline since its peak of 33,731 tons per day (tpd) in fourth quarter 2005 to 27,130 tpd in fourth quarter 2008, resulting in reduction of approximately 20 percent. Over the same period, the per capita disposal rate decreased from 6.6 to 5.2 pounds a day. He further stated that landfills throughout the County show a declining trend.

Mr. Benken noted the positive impacts from the economic downturn, such as less consumption of raw resources and fuel in transporting such resources and extended landfill life. For example, if the 2008 disposal rate persists, Calabasas, Antelope Valley and Scholl Canyon Landfills are expected to increase their lives by 3.5, 2.9, and 1.8 years, respectively.

Mr. Benken also noted that according to the SB 1016 methodology and 2003-2006 as the base years, the 2008 countywide waste diversion rate would increase from 56 to 62 percent in comparison to 2007.

Conversely, he also mentioned that the economic downturn has negatively impacted recycling markets, resulted in job losses in the solid waste industry, and reduced revenue for local jurisdictions and the State, thereby impacting waste reduction program funding.

Mr. Benken concluded that the solid waste disposal industry is not recession proof and that the disposal decline highlights the upside of landfills that are often overlooked.

XI. PRESENTATION ON EARTH DAY ACTIVITIES

Ms. Natalia Jimenez provided a presentation on the Earth Day activities ([see attachment](#)). She stated that last year in April of 2008, Environmental Programs Division attended over 30 Earth Day events and a total of 64 events were attended throughout the year. During these outreach events, staff promotes Public Works' environmental programs, distributes educational materials and promotional items including the popular "Brag about your Bag" tote used to promote the single use bag program.

Ms. Jimenez described that Environmental outreach is important and critical to increasing environmental stewardship among residents. It also provides the opportunity to inform individuals of the availability of the County's free programs and services. Having an interactive booth can be imperative to encourage and facilitate the learning process. During an event at Environmental Charter School last year, interactive recycling games were used to engage students' interests. Also, through partnership with the Universal Studios and in collaboration with the City of Los Angeles, the county has coordinated a Household Hazardous Waste Collection event to compliment Universal's Earth Day while encouraging the proper disposal of toxic household waste.

Ms. Jimenez reported that in an ongoing efforts to educate Public Works' employees, the Department also held its annual Earth Day event. Keeping employees informed is vital since the employees play a significant role as the County advocates and ambassadors of the environment. Organizations present at last year's Public Works Earth Day event were 104.3 MyFM Radio Station, Longo Toyota, Southern California Edison, Water Resources division, Watershed Management division, and others. An estimated 600 employees attended and she is anticipating a large turnout once again this year as well.

Ms Jimenez stated that this year, Public Works will be taking further step in hosting community events throughout the County. Public Works will also work with contract waste haulers to host events in unincorporated areas that have been identified for their poor diversion rates. The environmental message will be tailored to address the specific needs and/or concerns in the target area.

Ms. Jimenez reported that on April 18, Public Works, in partnership with Southern California Gas Company, will host the Get Hip Go Green event in the unincorporated area of Florence-Firestone. Florence-Firestone's Get Hip-Go Green Fest '09 is the first of the 24 community outreach events that will take place throughout the County encouraging residents to actively participate in the County's free environmental programs and services. Scheduled activities include: a bilingual workshop from the County's Smart Gardening Program teaching individuals the cost effective and environmentally friendly ways to beautify their yard and/or garden. In addition, through a collaborated effort with the Los Angeles Conservation Corps, educational and employment opportunities will be made available to youth ages 18-24 years. To compliment the festivities, participating individuals will also have the opportunity to receive environmental giveaways and prizes.

Other event festivities and participants include:

- Live music by La Nueva (101.9 FM)
- Central Basin Municipal Water District
- Los Angeles County Sheriff Department
- Chamber of Commerce
- Southern California Edison

XII. LEGISLATIVE UPDATE

Mr. Rogelio Gamino reported that assembly members Blumfield, Chesbro, De Leon and Nava have been added as co-authors of AB 87. He then provided updates on the following Legislative Bills ([see attachment](#)):

1. AB 147—introduced by Saldana

This bill would require a manufacturer or producer to prepare and, upon request, submit documentation within 28 days to the DTSC regarding the amount of hazardous materials contained in consumer electronics they offer for sale in the State. This bill will also expand the term "electronic device" to include electronic equipment that would be subject to the Restriction of Hazardous

Substances (RoHS) Directive; and define the RoHS Directive as the restriction of the use of certain hazardous substances in electrical and electronic equipment.

2. AB 222—introduced by Adams

This is a spot bill for legislation to advance biofuels and green power production in California.

Mr. Gamino stated that there have been no further developments and staff continues to closely track the bill.

The motion made at the previous Task Force meeting expressing support for AB 222 if certain provisions are met remains a standing motion.

3. AB 268—introduced by Gaines

This bill would repeal the existing law, the Porter-Cologne Water Quality Control Act, which requires the State Water Resources Control Board, in consultation with others, to adopt regulations or standards for the permitting and operation of specified onsite sewage treatment systems.

Staff was instructed to provide more information on the bill at the next meeting.

4. AB 274—introduced by Portantino

This bill would prohibit the owner or operator of a closed solid waste landfill that is subject to a closure or a postclosure maintenance plan from selling or offering for sale any portion of a closed waste management unit unless the intended purchaser provides evidence, to the satisfaction of the Waste Board, of his or her ability to meet the financial assurance requirements of the act.

Staff will continue to watch this bill.

5. AB 903—introduced by Chesbro

This bill would require that calculations of annual disposal reduction of electronic waste, and changes in electronic waste generated or disposed of due to specified factors, be included in each agency's annual report to the Waste Board. The bill would also require the report to include the extent to which a state agency intends to utilize programs or facilities established by a local agency for the handling, diversion, and disposal of electronic waste.

6. AB 907—introduced by Chesbro

This bill would define the term “rerefined oil,” and authorize the Waste Board to develop a program to provide incentives to manufacturers of rerefined oil and to develop additional capacity for the rerefining of used oil.

7. AB 925—introduced by Saldana

This bill would prohibit a retailer, on and after January 1, 2012, from selling or offering for sale a single-use plastic beverage container with a cap that is not affixed to, or part of, the beverage container. The bill would also prohibit a retailer, on and after that date, from selling or offering for sale a single-use beverage container with a cap, unless the cap is made of a recyclable material, as defined.

Staff was instructed to watch this bill.

8. AB 1141—introduced by Calderon

This bill would: extend the provisions of AB 2449 from 2013 to 2017; prohibit local governments from imposing a fee on paper bags and from banning or restricting plastic and paper bags; redefine reusable bags to include lighter weight plastic bags; establish a 50% recycling benchmark by 2014; increase the recycled content of plastic bags, provided market conditions allow sufficient supply/quality of materials; require manufacturers to directly pay into a \$25 million fund for litter abatement. Funds remaining after State administrative costs would be allocated to local governments (on a per capita basis) and state agencies, based on guidance from a special advisory panel.

A motion was made to send a letter to Assemblymember Calderon and Senator DeSaulnier expressing opposition to AB 1141 and SB 531, respectively. The motion passed unanimously with Mr. Charles Boehmke abstaining.

9. AB 1150—introduced by Gaines

This bill would abolish the Waste Board and transfer its duties, powers, purposes, responsibilities, and jurisdiction to the Department of Conservation.

Staff was instructed to watch this Bill.

10. AB 1173—introduced by Huffman

This bill would prohibit the distribution of moneys from energy efficiency investment funds or any other funds generated from usage-based charges on electricity distribution that are provided by California's retail sellers of electricity to any entity for compact fluorescent lamps, unless the compact fluorescent lamps meet certain specifications, and the manufacturer or distributor of the compact fluorescent lamps has implemented a recycling program or has agreed to pay an unspecified amount for every lamp for which funding is received into a compact fluorescent lamp recycling fund and the retailer has agreed to provide the public an in-store collection opportunity for the recycling of compact fluorescent lamps.

Staff was instructed to watch this bill.

11. AB 1329—introduced by Brownley

This bill would prohibit a person from selling at retail or distributing in commerce a rigid polyvinyl chloride packaging container.

Staff was instructed to provide more information on the bill at the next meeting.

12. AB 1343—introduced by Huffman

This bill would create the architectural paint recovery program and require architectural paint manufacturers, on and after January 1, 2010, to develop and implement strategies to reduce the generation, promote the reuse, and manage the end-of-life of post consumer paint through collecting, transporting, and processing. The manufacturers would be allowed to establish a cost recovery system to collect a fee from the consumer.

Staff was instructed to watch this bill.

13. AB 1358—introduced by Hill

This bill would prohibit a food vendor, restaurant, or retail food vendor from dispensing prepared food to a customer in a disposable expanded polystyrene food container, a disposable nonrecyclable plastic food container, or a disposable nonrecycled paper container. The bill would authorize the use of compostable plastic containers only in a jurisdiction where organic waste is collected curbside for composting. The bill would also prohibit a state facility from using a polystyrene foam or expanded polystyrene foam food service

container, and would prohibit a state department or state agency from purchasing or acquiring polystyrene foam or expanded polystyrene foam disposable food service ware for use at state facilities.

A motion was made to send a letter to Assemblymember Hill expressing support for AB 1358, subject to certain clarifications. The motion passed unanimously with Mr. Ron Saldana, Mr. Sam Perdomo and Mr. Pete Oda abstaining.

14. SB 390—introduced by Kehoe

This bill would repeal the sunset date for the Recycling Market Development Revolving Loan Program (program), thereby indefinitely continuing the program.

A motion was made to send a letter to Senator Kehoe expressing support for SB 390. The motion passed unanimously.

XIII. UPDATE ON COURT DECISION ON LAWSUIT BROUGHT AGAINST REGIONAL WATER BOARD

No action. Item postponed until the next meeting.

XIV. NEXT MEETING DATE

The next meeting was scheduled for Thursday, April 16, 2009, at 1 p.m.

XV. OPEN DISCUSSION/PUBLIC COMMENT

There was no further public comment. The meeting adjourned at 3:17 p.m.